REMARKS

The above Amendment and these Remarks are filed in response to the office action mailed November 5, 2007. Claims 1-64 were pending in the Application prior to this amendment. Claims 1, 7, 17 and 23 are amended and Claims 63-64 are canceled, leaving for the Examiner's consideration claims 1-62.

I. Claim Rejections under 35 U.S.C. §101

In the Office Action mailed November 5, 2007, Claim 1-22, 63-64 were rejected under 35 U.S.C. §101. Accordingly, Claims 63 and 64 are canceled and Claims 1, 7, and 17 have been amended as shown above. Applicant respectfully submits that the claim as amended now conforms to the requirements of 35 U.S.C. 101, and reconsideration thereof is respectfully requested.

II. Claim Rejections under 35 U.S.C. §102 & 35 U.S.C. §103

In the Office Action mailed November 5, 2007, Claims 1-18, 21-39, 41-59, 61-64 were rejected under 35 U.S.C. §102(e) as being anticipated by Pace et al. U.S. Patent No. 7,181,731.

In addition, in the Office Action mailed November 5, 2007, Claims 19-20, 40, 60 were rejected under 35 U.S.C. §103(a) as being unpatentable over by Pace et al. U.S. Patent No. 7,181,731.

1. Claims 1-6, Claims 23-28 and Claims 43-48

Claim 1 defines "*a hierarchical architecture capable of organizing ... the metadata object at levels within the hierarchical architecture*," in addition to the runtime container in a hierarchical architecture.

Here, in the pending Office Action, the Examiner refers to Fig. **5** and Fig. **13** in Pace for metadata objects. However, Fig. **5** in Pace is a block diagram illustrating an asset definition data structure. Fig. 13A-L are diagrams related to package and asset definition. There is no showing of the metadata object and the hierarchical architecture capable of organizing the metadata object at levels within the hierarchical architecture in Fig. **5** and Fig. **13**.

In addition, Fig. **2A** discloses a conceptual structure of an asset with multiple layers.

However, the multiple layers for an asset are not the hierarchical architecture capable of organizing the runtime container and the metadata object at levels within the hierarchical architecture, since layers of an asset are not the runtime container and the metadata object as defined in Claim 1.

Therefore, Claim 1 is not taught and can not be anticipated by Pace as stated by the Examiner. For the same reason at least, Claim 23 and 43 are not taught and can not be anticipated by Pace as well. Hence, Claim 1 and 23; Claims 2-6 which are based on independent claim 1; claims 24-28 which are based on independent claim 23; claims 44-48 which are based on independent claim 43 should all be in allowable condition.

2. Claims 7-16, Claims 29-37 and Claims 49-57

Claim 7 defines "*at least one said service component within the runtime container capable of processing requests from the invocation component and producing responses back to the invocation component.*"

Fig. **15A-C** in Pace illustrate the concept of the J2EE transactional deployment sphere of control. However, there is no disclosure of the service component within a runtime container as stated by the Examiner in the pending Office Action.

Therefore, Claim 7 is not taught and can not be anticipated by Pace as stated by the Examiner. For the same reason at least, Claim 29 and 49 are not taught and can not be anticipated by Pace as well. Hence, Claim 7 and 29; Claims 8-16 which are based on independent claim 7; claims 50-57 which are based on independent claim 49 should all be in allowable condition.

3. Claims 17-22, Claims 38-42 and Claims 58-62

Claim 17 defines "*at least one servlet capable of managing communications between the runtime container and external entities using common or uniform protocols.*" Fig. **2B** in Pace illustrate the lifecycle of an asset. However, there is no disclosure of the communications between the runtime container and external entities as stated by the Examiner in the pending Office Action.

In addition, Claim 17 discloses a framework that allows *a first dispatcher component* that can process the synchronous communication to work with *a second dispatcher* that can process

the asynchronous communication with the help of a queue. There is no indication of the two different types of dispatcher components in Pace as indicated in the Pending Office Action, let alone the framework to enable the two different dispatcher components work together.

Therefore, Claim 17 is not taught and can not be anticipated by Pace as stated by the Examiner. For the same reason at least, Claim 38 and 58 are not taught and can not be anticipated by Pace as well. Hence, Claim 17 and 38; and Claims 18-22 which are based on independent claim 17; claims 39-42 which are based on independent claim 39; claims 59-62 which are based on independent claim 59 should all be in allowable condition.

IV. Conclusion

In view of the above amendments and remarks, it is respectfully submitted that all of the claims now pending in the subject patent application should be allowable, and reconsideration thereof is respectfully requested. The Examiner is respectfully requested to telephone the undersigned if he can assist in any way in expediting issuance of a patent.

Applicant believes that no fee is due with this communication. However, the Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 06-1325 for any matter in connection with this reply, including any fee for extension of time, which may be required.

Respectfully submitted,

Date: February 4, 2008

By: /Kuiran (Ted) Liu/
Kuiran (Ted) Liu
Reg. No. 60,039

Customer No. 23910
FLEISLER MEYER LLP
650 California Street, Fourteenth Floor
San Francisco, California 94108
Telephone: (415) 362-3800